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Attorneys for Defendant
6 **ALASKA AIRLINES**

7
8 **UNITED STATES DISTRICT COURT**
9 **DISTRICT OF NEVADA**

10 TROY KEARNS, an individual,
11
12 Plaintiff,

13 v.

14 ALASKA AIRLINES, an Alaska corporation and
DOES I through X,
15
16 Defendants.

CASE NO: 2:19-cv-00541-APG-PAL

**JOINT STIPULATION/MOTION AND
ORDER TO REMAND THE CASE TO
STATE COURT**

ORDER

17 The parties, Defendant, ALASKA AIRLINES, by and through its counsel of record, Wilson,
18 Elser, Moskowitz, Edelman and Dicker, LLP, by Mark C. Severino, Esq. and Plaintiff, TROY
19 KEARNS, by and through his counsel of record, Hutchison & Steffen, PLLC, by Joseph R. Ganley,
20 Esq. and Piers R. Tueller, Esq. hereby move the court and submit the following
21 STIPULATION/JOINT MOTION FOR REMAND:

- 22 1. The parties agree that the amount in controversy does not exceed \$75,000;
- 23 2. The plaintiff agrees that he shall not seek, nor shall he recover, damages in excess of
24 \$75,000 (in other words, plaintiff's potential damages shall be capped at \$75,000);
- 25 3. The case should be remanded to state court for lack of jurisdiction;
- 26 4. Neither party shall seek fees, costs, or other expenses associated with this motion for
27 remand.

1 Accordingly, the instant joint motion and order to remand the case to state court is hereby
2 submitted.

3 DATED this 23rd day of April, 2019.

4 **HUTCHISON & STEFFEN, PLLC**

6
7 /s/ JOSEPH R. GANLEY

8 Joseph R. Ganley, Esq.

9 Nevada Bar No. 5643

10 Piers R. Tueller, Esq.

11 Nevada Bar No. 14633

10080 West Alta Drive, Suite 200

Las Vegas, NV 89145

Attorneys for Plaintiff

DATED this 23rd day of April, 2019.

**WILSON, ELSER, MOSKOWITZ,
EDELMAN & DICKER LLP**

/s/ MARK C. SEVERINO

Mark C. Severino

Nevada Bar No. 14117

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Attorneys for Defendant

12 IT IS SO ORDERED.

14
15 
UNITED STATES DISTRICT JUDGE

Dated: April 30, 2019.